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UNDER ARTICLE 18 OF THE CONVENTION

Initial and second periodic reports of States parties

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FOREWORD

The present report is the first to be submitted by the Government of Iceland in accordance with Article 18 of the United Nations Convention on the Elimination of all Forms of Discrimination against Women. It deals with the legislative, judicial, administrative and other measures which Iceland has adopted to give effect to the provisions of the Convention. It represents Iceland's initial report and first periodic report and covers the period until 31 December 1991.

In accordance with the general guidelines prepared by the Committee on the Elimination of Discrimination Against Women Part I contains general information about Iceland and the observance of human rights in general and the situation of women in particular. Part II contains specific information with respect to each provision of the Convention.

PART I
GENERAL OBSERVATIONS

I. Iceland and its people

1. Iceland is an island, 103,000 sq km in area. About three fourths of the country is over 200 m in elevation and a large part consists of barren plateau with individual mountains and mountain ranges. Glaciers cover a total of 11,200 sq km and cultivated area 1400 sq km. The country is mostly populated along the coasts and the central highlands are uninhabited. The population numbers slightly less than 260,000, of which about 50% reside in the capital city of Reykjavik or its vicinity.

A brief overview of Icelandic history

2. Iceland was settled during the last quarter of the 9th Century A.D., mostly from Norway but also from Sweden and Nordic settlements in the British Isles. Probably some Irishmen, including slaves, also were among the settlers, but written sources say little about them.

3. At the time of settlement there was no indigenous population in Iceland. It is possible, however, that some Irish monks were there. The present inhabitants of Iceland are the descendants of the Nordic and Irish settlers. From the 12th Century until the last few decades there was almost no immigration. The nation is consequently rather homogenous - Caucasian, Icelandic-speaking and overwhelmingly Protestant in religion. People of other racial origins have immigrated to Iceland only during the last 20 to 30 years. In addition, children from all regions of the world have been adopted.

4. It is believed that the first settler came to Iceland in 874 A.D., and that the island was totally settled by about 930 A.D. The Althing was established that year where chieftains, the so-called "godar", assembled with their followers. The "godar" were originally 36 in number and 39 later. Men were free to ally themselves with any "godi" and renounce their allegiance to him if they so chose. Geographical boundaries were not decisive in this respect, at least not until later. The Icelanders therefore enjoyed a form of representative government.

5. At the Althing laws were recited and new laws enacted, legal disputes resolved and judgments rendered. There was, however, no centralized executive power or police authority within the country and consequently each person had to fend for himself with the help of his "godi".

6. Christianity was adopted, peacefully, in 999 or 1000 A.D. and the tithe-law was adopted in 1096. The tithe accrued to the church, in some cases indirectly to the lay chieftains, and to the poor.

7. The administrative system of the "godar" enabled one person to accumulate the

positions and powers of other "godar". Titles were bought and sold and in this way were concentrated into the hands of a few chieftains, each of whom tried to gain control over the entire country. As central authority was lacking the chieftains turned to the king of Norway to resolve their disputes and swore their allegiance to him. Eventually, the Icelanders submitted to the authority of the king under the so-called "Old Pact" concluded in 1264. This was necessary, not only to establish peace but also to ensure communication between Iceland and Europe as the Icelanders no longer possessed seagoing vessels, timber being in short supply.

8. Iceland was under Norwegian rule until 1383 when Danish authority was established in Norway. Iceland remained under Danish rule from that time until the 20th Century. The Reformation took place in 1550, which greatly enhanced royal authority at the expense of the church.

9. In 1662 Iceland came under the absolute monarchy which had been established in Denmark in the 17th Century. This lasted until 1848. Until the time of absolute monarchy the Althing had retained part of its legislative authority but during the 18th Century it became solely a judicial body and a forum for proclamations. It was suspended in the year 1800.

10. The Althing was re-established in 1845 as an advisory body. Soon after that the Icelanders' struggle for independence started. In 1874 the King laid down a constitution concerning matters affecting Iceland, granting the Althing fiscal and legislative powers, subject to Royal approval. In 1904 the Icelanders obtained Home Rule under an Icelandic Minister residing in Iceland.

11. Iceland became an independent sovereign state in a personal union with Denmark in 1918. However, Denmark continued to manage Icelandic foreign affairs on Iceland's behalf. A Republic was formally established on 17 June 1944. The entire struggle for independence took place without bloodshed.

Life expectancy

12. Life expectancy in 1989 to 1990 was 75.1 years for men and 80.3 years for women.

Infant mortality

13. Infant mortality in 1990 was 3.3 per 1000 for boys and 2.1 per 1000 for girls born.

Fertility

14. Fertility in 1990 was 2.31 children for each woman.

Percentage of population younger than 15 and older than 65

15. In 1990 and 1991 24.71% of the population was younger than 15 (25.16% of males and 24.26% of females). 10.78% of the population was older than 65 (10.14% of males and 11.99% of females).

Urban and rural population

16. In 1990 90.7% of the population resided in urban areas and 9.3% in rural areas. An urban area was defined as that having more than 200 inhabitants. In 1991 91.1% resided in urban areas.

Religion

17. In 1991 92.2% of the population belonged to the National Church (Evangelic Lutheran), 0.99% were Roman Catholics and 4.2% belonged to other Christian congregations. 1.25% belong to other religious or unspecified denominations and 1.36% were registered as not belonging to any religious group.

Education

18. Attendance in primary schools is compulsory in Iceland for 10 years, for children ages 6 to 16. A large number of students continue studies after compulsory schooling is completed. Non-compulsory secondary education follows primary school and lasts for four years. Primary and secondary education is free. The University of Iceland charges low tuition fees. Students pursuing higher education are entitled to student loans.

II. The economy

Main employment sectors

19. The most important industry is fishing. 60% of foreign currency income is derived from fish products. The fishing industry accounts for 90% of exports. Agriculture is mainly for domestic needs, and manufacturing is relatively small, slightly exceeding 10% of foreign currency earnings. The importance of services is increasing. Many agricultural and industrial products have to be imported as they cannot be locally produced owing to Iceland's geographical location and its small population.

Mineral and energy resources

20. Iceland is poor in mineral resources. The most important energy sources are geothermal heat and hydroelectric power. Nevertheless, only a small part of the energy has yet been harnessed. The per capita use of geothermal energy is the highest in the world and per capita consumption of electricity is among the world's highest. In 1988 37% of the energy consumed in Iceland was hydroelectric, 30%

geothermal, 30% from petroleum products and 3% from coal.

Per capita gross national product in US dollars

1980	13,887
1981	14,095
1982	12,496
1983	10,596
1984	10,948
1985	11,348
1986	15,203
1987	21,078
1988	22,758
1989	20,235
1990	22,638
1991	24,322

Foreign debt as a proportion of gross national product

1980	33.1%
1981	34.4%
1982	44.2%
1983	53.3%
1984	54.4%
1985	61.8%
1986	54.5%
1987	47.3%
1988	47.9%
1989	55.0%
1990	55.2%
1991	55.5%

Annual inflation

1980	64.7%
1981	41.1%
1982	63.6%
1983	70.8%
1984	23.1%
1985	34.1%
1986	12.8%
1987	26.1%
1988	18.2%
1989	23.7%
1990	7.3%
1991	7.2%

Unemployment

21. Total unemployment during the period 1980-1990 ranged from 0.3% to 1.7% of the labour force. The percentage has varied between years, but generally has been increasing. Unemployment varies greatly by season, region and employment sector. It increased in 1992 and further increase is predicted, especially in the light of the great decrease in the fishing catch expected in the next few years. Unemployment in Iceland was registered at about 2.5% of the labour force in 1992.

III. Constitutional structure and government

22. Iceland is a Republic with a parliamentary government. The President of the Republic, the members of the Althing and local governments are elected by popular vote at four-year intervals.

1. The Constitution of the Republic

23. The Constitution of Iceland dates from 1944 when constitutional ties with Denmark were finally severed. Many of its provisions are much older, some of them even from 1874 when the first Constitution was adopted. The provisions concerning economic and civil rights are among the oldest.

24. Opinions vary about whether revision of the Constitution, including the civil rights provisions, is necessary. To date only minor changes have been made, including amendments to the organization and procedures of the Althing and various matters concerning elections. This, however, has not prevented continuous legislative amendments to protect and enhance human rights, especially during the past decade, in keeping with the increased awareness of their importance by the Government and the public.

25. The Constitution of Iceland contains provisions protecting persons under arrest, limiting the application of custody on remand, protecting the inviolability of the home and the right of ownership, freedom of enterprise, freedom of the press, freedom of religion, freedom of association and freedom of assembly. The text of these provisions may be seen in the translation of the Constitution accompanying this report.

26. Article 2 of the Constitution provides for separation of the three principal branches of government. This is now strictly adhered to as regards the judiciary, but legislative and executive authority may overlap in various fields. Thus, the President of the Republic is formally the head of both the legislative and executive branches. His powers are, however, limited in fact, and his role more resembles that of Kings and Queens in the parliamentary monarchies of Scandinavia than that of elected Heads of State in most other countries. With his signature the President ratifies laws passed by the Althing. He has never exercised his veto which would have the effect of submitting an enactment to a referendum. The Constitution expressly provides that

the President entrusts his authority to Ministers and is not responsible for executive acts.

27. The Government Ministers are usually from the ranks of the members of the Althing and remain members of the Althing while serving as Ministers. Important bills are usually submitted by Ministers and drafted on their initiative. Thus, they are involved directly with legislation in many ways.

2. Legislative power

28. The legislative power is jointly vested in the Althing and the President of the Republic according to Article 2 of the Constitution. The members of the Althing are 63 in number, popularly elected by secret ballot for a term of four years, representing the country's eight electoral areas. They also serve on various state boards and commissions. The Althing also nominates or elects persons to serve in various positions. Thus, it can be said that the functions of the legislative and executive authorities overlap.

29. Five political parties or groupings were represented in the Althing following elections in 1991. The Independence Party, which is to the right, has 26 members, the Progressive Party, which is a centrist party, is represented by 13 members, and the Social Democratic Party is represented by ten members. The People's Alliance, a social democratic party which succeeded the communist party, is represented by nine members and the Women's List is represented by five members.

3. The executive power

Ministers

30. The Ministers are the heads of executive authority, each in his own field. The Ministries number 14, but the number of Ministers has been lower, generally around ten, and thus some of the Ministers control more than one Ministry. Certain matters are committed to the Prime Minister by law, but in other respects his role is leading the Government. All important matters are discussed at cabinet meetings, and State Council meetings are chaired by the President of the Republic to formally conclude matters. The position of the Prime Minister has been influenced somewhat by the fact that, in the history of the Republic, no single party has obtained a majority in the Althing, and consequently coalition governments usually have been in power. Minority governments have only been in power for brief periods of time.

Magistrates

31. Magistrates represent the executive authorities at the district level. The Law on the Separation of Judicial and Executive Power at the District Level, No. 92/1989, which took effect 1 July 1992, significantly changed the roles and functions of magistrates.

32. The country is divided into 27 districts with one magistrate serving in each area. Their functions include administration of police and customs, collection of state revenues, social security services, civil marriages and the issuance of decrees on separation, child custody decisions, maintenance payments, matters concerning majority, real estate recordings, registration of deaths, and various acts concerned with estates upon death, enforcement of judgments, forced sales, notarial functions, absentee ballots, registration of firms and various other associations, settlement of certain private law disputes and issue of various licences, together with some involvement in matters of local government.

33. In Reykjavik the Commissioner of Police, the Commissioner of Customs and the Magistrate are separate offices. In some of the larger towns there are also separate offices which collect state and government revenues instead of local magistrates.

34. Disputes concerning the function of a magistrate can be referred directly to the courts in many cases. Otherwise, such disputes are subject to administrative appeal to the Ministry of Justice. This mainly applies to the decisions of magistrates concerning majority and family law.

Criminal investigation and powers of prosecution

35. The State Criminal Investigation Police (SCIP) investigate all criminal cases in the Greater Reykjavik area. They also assist local police commissioners in other areas, if they so request and the Chief of the SCIP or the Director of Public Prosecutions deems this necessary. In practice, the investigation of all complicated or serious criminal cases is always entrusted to the SCIP. At the police departments where the SCIP is in charge of investigations there are departments which investigate traffic accidents and traffic violations and violations of police ordinances and of the Alcoholic Beverages Act (except for those concerning illegal importation of alcoholic beverages). There is also a separate department at the Reykjavik Police Department which investigates drug violations. Tax and customs authorities usually conduct initial investigations of tax and customs violations.

36. Supreme prosecutorial authority is vested in the Director of Public Prosecutions. This power covers all criminal offences except for violation of the Alcoholic Beverage and Traffic Acts where the magistrates and Commissioner of Police in Reykjavik have jurisdiction to sanction by fines, confiscation or imprisonment. The Director of Public Prosecutions supervises the work of other prosecutors.

Local government

37. Icelandic municipalities numbered 197 on 1 October 1992. Their population ranges from a few thousand to tens of thousands. It is the Government's policy to reduce municipalities greatly by consolidation. The division of responsibility between state and local government is determined by law.

4. The judiciary

38. On 1 July 1992 new and comprehensive legislation concerning legal procedure and judicial organization in the lower courts went into effect, entailing fundamental changes compared to previous legislation. In fact, this involved the most radical changes to the Icelandic court system since the times of the monarchy. The essence of these changes is total separation of administrative and judicial powers.

39. Until 1 July 1992 the magistrates outside Reykjavik held both judicial and administrative authority. This meant inter alia that the same official dealt with criminal cases as both a commissioner of police and presiding as a judge and both resolved disputes regarding the legality of state revenues as well as collected them. This system originated under absolute monarchy when all branches of government were united in the hands of the King. The attitude of expediency in the sparsely populated Icelandic society prevented a total separation between judicial and administrative authority from being effected earlier. This arrangement was criticized, however, as totally incompatible with the fundamental requirement of securing judicial impartiality.

40. The Law on the Separation of Judicial and Executive Powers at the District Level No. 92/1989 laid the foundation for a changed judicial system. The law established eight district courts, one in each electoral area of the country. These courts have jurisdiction in civil as well as criminal cases, issue bankruptcy decisions and resolve disputes which arise during magistrates' major proceedings. Judicial authorities also resolve all disputes concerning the extent of administrative powers. After 1 July 1992 district court judges perform only judicial functions. The judicial authority previously wielded by magistrates outside Reykjavik has now been transferred to the new district courts.

41. New legislation covering all aspects of legal procedure followed in the wake of the law on the separation of powers and went into effect also on 1 July 1992. The legislation conformed to the new division of responsibilities for magistrates and courts and repealed a multitude of laws which were, in fact, very outdated. The new laws fall under three headings:

- court procedure;
- settlement of estates;
- enforcement proceedings within the responsibility of magistrates.

42. Of the new enactments particularly referred to in discussing the provisions of the Covenant, the Law on Criminal Procedure No. 19/1991 may be mentioned. Various changes have been made to the older legislation, mainly aiming at the improvement and clarification of the accused's legal position. Criminal procedure has now become accusatory in character, whereas the older code of criminal procedure contained many remnants of the inquisitorial procedures of past times.

43. Judgments of the eight district courts may be appealed to the Supreme Court.

The only court of appeals is the Supreme Court which has nation-wide jurisdiction. Judgments in criminal cases may be referred to the Supreme Court without any restriction and for appeal of civil judgments there are minor requirements related to the minimum interests at stake.

44. The law on the separation of powers ensures the independence and impartiality of the courts and offers all judges the protection of Article 61 of the Constitution against dismissal from office by an administrative authority.

IV. Remedial authority with respect to human rights violations

1. Courts

45. If an individual believes that his human rights have been violated whether by public authorities or by another individual, he can institute legal proceedings and claim relief before the courts. He can inter alia claim compensatory damages, annulment of libelous or slanderous statements, compensation for non-financial loss and invalidation of administrative decisions if he alleges that his rights have been violated by such decisions. In Iceland there is no separate constitutional court which resolves disputes concerning alleged breaches of constitutionally protected human rights.

46. The courts have considered themselves competent to assess whether laws are in agreement with constitutional provisions despite the fact that such power of review is not expressly mentioned in the Constitution. If the courts resolve that a legal provision conflicts with human rights provisions of the Constitution, they will disregard the provision in their judgment. However, the courts do not have authority formally to invalidate laws, even when they are considered to be in conflict with the Constitution.

2. The administrative authorities

47. Various decisions affecting the rights and duties of individuals are taken by administrative authorities. Where such decisions are made at lower administrative levels, for example by a magistrate, or by a committee or a commission responsible to a Ministry, there is generally an avenue of appeal to a Ministry with the power of final review. There are, however, special provisions relating to certain fields, for example in tax cases, where the tax authorities have the power of final review in appeals concerning the amount of tax. These cannot be referred to a superior administrative authority. Disputes concerning tax liability and tax basis can always be referred to the courts.

48. In recent years Icelandic laws have tended to transfer the power of resolution from the Ministries to a lower administrative level. In this way a possibility of appeal from the lower administrative level to the Ministry is open, and the earlier decision

can be reviewed and changed if necessary.

49. According to Article 60 of the Constitution the courts resolve disputes concerning the extent of administrative authority. Administrative decisions may be referred to the courts for invalidation. Despite the fact that the courts cannot review administrative discretion underlying a decision, they are competent to assess whether an administrative authority proceeded lawfully and whether an administrative decision is based on lawful considerations, e.g. whether the principle of equality within the administrative system has been observed and the parties afforded the opportunity of stating their views. If the procedure employed by an administrative authority was defective the courts may invalidate its decision and order the authority to take a new decision on the basis of lawful considerations.

3. The Ombudsman

50. The office of Ombudsman of the Althing was established in 1988. The Ombudsman is elected by the Althing to which he submits an annual report on his activities. Apart from this he is an independent official. The role of the Ombudsman is to monitor the administrative functions of the State and the municipalities as an agent of the Althing. Among his duties is to secure the rights of the citizens vis-à-vis administrative authorities. The Ombudsman investigates administrative cases following a complaint or on his own initiative. He is vigilant as to whether laws conflict with the Constitution or are faulty in other respects, including whether they conform to the human rights conventions to which Iceland is a party. He has in his reports called attention to the necessity of revising the human rights provisions of the Constitution.

51. The opinions of the Ombudsman are not binding on administrative authorities, and he cannot invalidate administrative decisions formally. Nevertheless, his opinions carry great weight in calling on the administrative authorities to act according to the opinions, which they do almost without exception.

4. The European Court of Human Rights

52. Iceland is party to the European Human Rights Convention of 4 November 1950 and has recognized the jurisdiction of the European Court of Human Rights. The European Commission on Human Rights, according to Article 25 of the Convention, can receive applications or complaints from any individual, private organization or group that Iceland has violated the rights set out in the Convention. According to Article 26 of the Convention all domestic remedies must have been exhausted and, for example, all avenues of appeal pursued and a final decision rendered. The Convention and its effects on Icelandic law will be further described in Section V below.

V. International human rights conventions and Icelandic law

1. Conventions to which Iceland is a party

53. Iceland is a party to numerous United Nations human rights instruments. Iceland is also a party to the Council of Europe conventions relating to human rights. Following are the most important instruments:

Convention of 9 December 1948 on the Prevention and Punishment of the Crime of Genocide

Supplementary Convention of 7 September 1956 on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery

Convention of 20 February 1957 on the Nationality of Married Women

Convention of 10 December 1962 on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages

International Convention of 7 March 1966 on the Elimination of All Forms of Racial Discrimination

International Covenant of 19 December 1966 on Economic, Social and Cultural Rights

International Covenant of 19 December 1966 on Civil and Political Rights, including First and Second Optional Protocols

Convention of 18 December 1979 on the Elimination of All Forms of Discrimination against Women

Various International Labour Organisation Conventions, including Convention No. 87 concerning Freedom of Association and Protection of the Rights to Organize

European Social Charter of 18 October 1961

Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms including Protocols Nos. 1 to 8 - Iceland has recognized the Jurisdiction of the European Court of Human Rights until 2 September 1994

Convention of 28 January 1981 for the Protection of Individuals with Regard to Automatic Processing of Personal Data

European Convention of 26 November 1987 for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

Convention of 20 November 1989 on the Rights of the Child

2. Implementation of human rights conventions

54. Iceland adheres to the legal doctrine that international treaties do not assume the force of domestic law even if ratified, but rather are only binding according to international law. Human rights conventions have not been incorporated into Icelandic law and consequently they cannot be directly applied by the courts.

55. It is, however, a principle of legal construction that domestic law shall be construed in conformity with international law but in cases of disagreement domestic law generally takes precedence. It seems, however, that judicial practice of the Supreme Court has changed to some extent during the past few years, giving international instruments added weight. This is mainly the case with regard to the

European Human Rights Convention. The Supreme Court has referred to the Convention in its judgments and thus expressly based its conclusions on those provisions.

56. Icelandic authorities have always considered that domestic law conforms to the conventions they have ratified unless an express reservation has been made to the contrary. For a long time Iceland had an unblemished record with the Court and Commission of Human Rights.

3. European Human Rights Convention

57. In 1987 the European Commission on Human Rights examined the case of an Icelandic citizen who had been convicted of a traffic violation in district court. On appeal the Supreme Court had upheld the conviction. In accordance with the procedures in effect at the time, his case had been heard and adjudicated by the town magistrate's deputy (on 1 July 1992 the title of town magistrate was abolished, being replaced by the title of magistrate). The deputy was responsible to the town magistrate who was also in charge of the police. An application was lodged with the Commission of Human Rights alleging that the case of the accused had not been heard by an impartial judge in the lower instance, thus violating Article 6 of the Human Rights Convention. The Commission concluded that the case was admissible, thus strongly suggesting that the procedure in question violated the Convention. The same year preparations commenced in Iceland for new legislation intended to change radically the judicial organization. In 1989 the Commission on Human Rights concluded that the judicial organization then in effect violated Article 6 of the Convention. The case was referred to the Court of Human Rights, and, at the end of 1989, a settlement was effected between Iceland and the applicant providing him compensation.

58. In 1990 the Supreme Court decided in a similar case, taking inter alia into account the conclusion of the Commission of Human Rights, that a town magistrate's (police commissioner's) deputy should have withdrawn from a criminal case as lacking competence since he had served both as deputy of the police commissioner and the judge. Immediately after this decision a law was passed appointing special district court judges everywhere in Iceland in order to provide a provisional solution until 1 July 1992 when the new judicial organization would become effective.

59. There is no doubt that the decision to draft changes to legal procedures and the fact that they have now become a reality owe a great deal to the European Human Rights Convention and the imminent action before the Court of Human Rights.

60. Applications to the European Commission on Human Rights have increased in number during the past few years. The first judgment of the European Court of Human Rights in a case against Iceland was rendered in June 1992. The Court held that a criminal sentence for allegations against policemen was unnecessary in a democratic society and incompatible with the provision of the Convention concerning

freedom of expression. The Minister of Justice immediately appointed a committee to investigate whether the relevant domestic laws had to be changed and whether incorporation of the Human Rights Convention in its entirety into Icelandic law was advisable. The committee will probably conclude its activities before the end of this year.

61. In July 1992 the Human Rights Commission decided to refer a case against Iceland concerning freedom of association to the Court of Human Rights. The Commission concluded that legislation under which licenses for operating a taxi cab were conditional on membership in a certain trade union violated Article 11 of the Human Rights Convention. Previously the Supreme Court had ruled that the legislation did not conflict with the Constitution.

4. Information and publications on human rights

62. The government authorities have not instituted special programmes for the dissemination of information of human rights. It is safe to assume, however, that the public consciousness as regards human rights has been awakened and that interest in human rights has increased in light of the influence of the European Human Rights Convention. The changes to legal procedures on 1 July 1992 and the extensive media coverage of Icelandic cases recently adjudicated or docketed for hearing by the European Court of Human Rights may be especially mentioned in this context.

63. The European Convention on Human Rights is published in its entirety in Iceland's most recent local law collection from 1990 and has also been printed separately in the form of a booklet available free of charge at the Ministry of Justice. International conventions on human rights ratified by Iceland are published in Division C of Iceland's Law Gazette. All laws are published in Division A of the Law Gazette and most administrative orders such as regulations are published in Division B of the Gazette.

64. Announcements concerning ratification of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights were published in Division C of the Law Gazette No. 10/1979. The entire texts of both Covenants are published there both in Icelandic and English. An announcement concerning the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights was published in Division C of the Law Gazette No. 11/1991.

65. Despite little formalized effort to disseminate information on human rights to the public, Icelanders have always been conscious of certain fields of human rights. Of these women's rights, freedom of expression and the right of ownership deserve special mention. Many people are familiar with the relevant provisions of the Constitution.

VI. The situation of women in Iceland

Introduction

66. Women in Iceland enjoy legal equality in the same measure as men. This implies that various public rights and obligations are independent of sex. Financial independence is guaranteed to married couples through legislation with the limitation that, on the death of a partner in marriage or in case of divorce, the rights of the other partner are safeguarded. Organized labour and employers' associations sign agreements concerning a specific minimum wage which is independent of sex but restricted to an occupation. The rights to education and employment are independent of sex. The efforts of the Government in recent years have therefore primarily been directed towards establishing the equal status of the sexes in practice and counteracting the traditional attitudes towards the roles of the sexes.

The education of women

67. Government efforts have primarily been directed towards increasing women's education and enabling them to become established in the labour force. There has been a strong emphasis on women acquiring a university degree. The students of universities and other advanced education schools are entitled to Government loans to support themselves, and this has undoubtedly enabled more women than before to pursue studies. Propaganda about the position of women, such as their wages, labour market conditions and the importance of their financial independence, has doubtless contributed to a situation where women are now the majority of students graduating from the secondary schools, and they now constitute about 48% of the students graduating from the University of Iceland.

68. Various courses are provided for those who want to improve their skills and opportunities in the labour market. Special courses are given for women, e.g. in management and the establishment and operation of firms.

Women and the labour market

69. Women's position on the labour market has improved greatly in recent years. Women have established themselves in various sectors of the economy that were once the exclusive territory of men. An example is the great increase of women with university degrees holding specialist positions in Government service. In 1985 the proportion of women holding management positions or positions of responsibility within the Ministries' central offices was 24%, which by 1987 had increased to 32%. Research conducted into the position and opportunities of women in the labour market has primarily been directed towards the State as an employer. In doing so an attempt has been made to emphasize the State's responsibility in providing both precedents and initiative in this field. There are various indications that the position of women is poorer in the private sector than in the service of the State and local authorities. However, no statistical information is available. So far affirmative action has not been

resorted to in order to improve women's opportunities in the labour market for career advancement, vocational education etc., in spite of the fact that Law No. 28/1991 on Equal Status and Equal Rights of Women and Men provides for such measures.

Women and politics

70. The increased discussion on the position of women, in addition to their increased education and labour force participation, has also resulted in greater participation in politics. Several political parties have adopted the rule that within their leadership structure there should be a minimum 40% representation of either sex. This rule has given substantial results. In 1982 a special women's list of candidates was proposed for the municipal election, and a year later the same list put up candidates for the parliamentary elections. The increase in the support of these lists has been an incentive for other political parties to give women within their ranks added opportunities for influence.

71. After the elections of 1987, the proportion of women in the Althing was 21%, while in 1979 it was only 5%. In the elections to the Althing in 1991, women increased their percentage to 24% of the members of the Althing. The membership of women on town councils also increased, being 30% after the 1986 municipal elections as compared with less than 20% after the 1982 elections. At present the percentage of women sitting on local councils is 23%. The percentage of women on town councils alone is 32%.

The social position of women

72. There are various factors indicating that the increased employment participation of women has not altered women's traditional role within the home. Women are increasingly burdened by a double work load, i.e. on the one side by their paid employment outside the home and on the other by household work and the care of the family.

73. New legislation on maternity leave entered into force in 1987, gradually extending leave to six months by 1990. The relevant Law includes a provision prohibiting employers to dismiss a pregnant woman or a parent on parental leave. There is furthermore a provision obliging employers to move a pregnant woman to another position, wherever it can be arranged, if her current job may be assumed to threaten her life or health or that of the fetus. Labour agreements guarantee the right of parents to be absent from the labour market because of sick children under the age of 13, this right being independent of their own sick leave rights. Flexible working hours have been adopted in many places, particularly in public service.

Legal framework

74. In the Constitution it is assumed that all its citizens enjoy the same human rights, whether they are women or men. However, the Constitution does not

specifically provide for equality between women and men.

75. The first general statute in respect of equality between the sexes was enacted in Iceland in 1976, in Law No. 78/1976. This Law superseded the Equal Remuneration Law No. 37/1973. The equality legislation in force at present is Law on Equal Status and Equal Rights of Women and Men No. 28/1991 (hereinafter referred to as the Equal Status and Equal Rights Law) an English translation of which is enclosed as an Annex to this Report. The implementation of the Law is in the hands of the Equal Status Council, a seven member body appointed following each election to the Althing. The expenses incurred by the Council's activities are paid by the State Treasury.

76. Iceland has ratified ILO Conventions Nos. 100, Equal Remuneration Convention, 1951, and 111, Discrimination (Employment and Occupation) Convention, 1958. Information relevant to the Convention can be found in the most recent reports of the Government on the implementation of these Conventions.

Institutions

77. The Equal Status Council serves as an advisory body vis-à-vis the administrative authorities, institutions and organizations in matters concerned with equal status and equal rights and is responsible for education and the dissemination of information to organizations and the general public. The Council is responsible for monitoring social developments including those concerned with the provisions of the Equal Status and Equal Rights Law and make proposals for amendments in accordance with the objectives of the Law. The Council shall, on its own initiative, conduct research into the status of women and men. Public institutions, employers and organizations have an obligation to supply the Council with any kind of information pertaining to such matters.

78. The Equal Status and Equal Rights Law establishes a special Complaints Committee on matters of sexual equality. If the Complaints Committee reaches the conclusion that there has been a violation of the provisions of the Law, it addresses substantiated recommendations for specific amendments to the parties concerned. If a party concerned does not agree to the recommendations of the Complaints Committee, the Committee is permitted to take legal action on behalf of the party against whom the violation occurred in the judgement of the Committee. Anyone who wilfully or by negligence violates the Law is liable to indemnities according to general provisions of law.

79. The Equal Status and Equal Rights Law stipulates that each municipality with at least 500 inhabitants shall appoint an Equal Rights Committee. Such committees shall have a supervisory role and initiate special temporary measures for the purpose of improving the status of women in the local government area, register notifications on infractions of the Law and act as a liaison agent to Ministries and the Equal Status Council. Furthermore, such committees shall act in an advisory manner for the local government in matters concerning the equality of women and men.

80. Various professional organizations have also appointed Equality Committees,

such as the Icelandic Federation of Labour, the Icelandic Federation of Bank Employees, the Federation of State and Municipal Employees and the Confederation of University Graduates.

The means used to eliminate discrimination

81. As far as legislation is concerned there is equality between women and men in Iceland. The largest obstacles in this respect are the prevailing attitudes towards the sexes and the roles of women and men as well as women's social circumstances. Under the auspices of public authorities efforts are being made to change the prevailing attitudes and improve women's social circumstances. The measures taken and their effectiveness will be dealt with in Part II.

82. As stated above the Equal Status Council shall serve as a policy-making body as regards questions of equality between the sexes in Iceland. The Council shall prepare a Plan of Action for four years at a time and present it to the Minister of Social Affairs. According to the Equal Status and Equal Rights Law the Minister of Social Affairs shall present to the Althing a motion for a parliamentary resolution on a four-year program on matters of equality after having received proposals from individual Ministries and the Equal Status Council. This program is to contain a detailed plan of action and an estimate of the funding needed for specific projects regarding matters of equality. The program shall be reviewed every two years and in this connection the Minister of Social Affairs shall present to the Althing a report on the status and development of matters of equality. The Law also specifies that the position of women is to be improved, and authorization is given for special temporary measures to achieve this aim.

83. The Government's first plan of action according to Law No. 65/1985 was presented to the Althing in 1986. The second was presented in 1991. In this new plan of action emphasis is placed on the duties of Ministers and the Ministries to work, in their respective fields, towards bringing about equality in the status of women and men. This does not diminish the importance of working for the improved status of women in the private sector. Indeed, the plan emphasizes that the Ministries' program is linked with the private sector. Government authorities are able to - and, in accordance with their duty to take the initiative, ought to - work for the implementation of the position of women everywhere in society.

PART II
INFORMATION RELATING TO INDIVIDUAL PROVISIONS OF THE CONVENTION

Article 1

84. According to the Equal Status and Equal Rights Law, Article 3, all forms of discrimination on the basis of sex shall be prohibited. However, specific temporary

measures intended to improve the status of women for the purpose of promoting equality and the equal status of the sexes shall not be considered contrary to the Law. It shall not be considered discrimination to make special allowances for women on account of pregnancy or childbirth.

Article 2

Subparagraph (a)

85. Article 1 of the Equal Status and Equal Rights Law states that the purpose of the Law is to establish the equal rights and equal status of women and men in every sphere.

Subparagraph (b)

86. The provisions of subparagraph (b) have been complied with by adopting the Equal Status and Equal Rights Law which superseded older legislation, i.e. Law No. 65/1985.

Subparagraph (c)

87. According to the Equal Status and Equal Rights Law legal protection is twofold. Article 19 provides for the appointment of a Complaints Committee for a period of three years at a time; the committee members shall be qualified lawyers. The Complaints Committee shall be charged with registering notifications of violations of the provisions of the Law and investigating cases in such instances, and forwarding its conclusions to the parties concerned upon completion of its investigation. Furthermore, in special cases the Complaints Committee shall take the initiative in making notifications regarding the implementation of Articles 2 to 13. See Article 16, paragraph 1, however, on the functions of the Equal Status Council. In the event that the Complaints Committee considers that the provisions stipulated in Articles 2 to 13 of the Law are being violated, it shall submit substantiated directives for specific improvements to the parties concerned.

88. If according to Article 21 of the Law a party concerned should not accept the directives of the Complaints Committee, the Committee is authorized to initiate legal proceedings in order to establish the recognition of the rights of the complainant in consultation with him or her. This shall also apply even though there is no claim for compensation involved.

89. In Article 22 it is stipulated that anyone who wilfully or by negligence violates the provisions of the Law shall be liable to pay compensation in accordance with the general provisions of law. Furthermore, the person concerned may be ordered to pay to the plaintiff, in addition to compensation for financial loss, a sum of money for humiliation, inconvenience and disturbance of position and circumstances.

Subparagraph (d)

90. The Government is not aware of any public authority engaging in any act or practice of discrimination against women.

Subparagraph (e)

91. In 1991, the Minister of Social Affairs presented to the Althing and the Government a four-year Plan of Action on Equal Rights for Men and Women. This plan had been prepared with reference to the Equal Status and Equal Rights for Women and Men Law No. 65/1985. The plan emphasizes the duties of Government Ministers and Ministries, in their respective fields, to promote equal status for women and men.

92. In preparation of this program, the main emphasis had been put on the following aspects:

1. Measures to promote equal status of the sexes throughout the school system.
2. Wage equality between women and men.
3. Measures to improve the status of women on the labour market.
4. Measures to improve specifically the status of women in rural areas.
5. Various social rights.

Subparagraph (f)

93. There are no laws or regulations constituting discrimination against women. For measures directed at customs and practices see Part I and the section on subparagraph (e).

Subparagraph (g)

94. There are no national penal provisions which constitute discrimination against women.

Article 3

95. See reply under Article 2, subparagraph (e), above concerning reference to the Government's four-year Plan of Action on Equal Rights for Men and Women.

Article 4

96. Article 3 of the Equal Status and Equal Rights Law provides for specific temporary measures intended to improve the status of women for the purpose of

promoting equality and the equal status of the sexes. According to the Article it shall not be considered discrimination to make special allowances for women on account of pregnancy or childbirth. However, this provision of the Law has not yet been made use of.

97. On pregnancy, birth and the protection of mother and child, see comment below on Article 11, paragraph 2.

Article 5

98. During the past few years there has been much debate on violence against women inside the home, and in the very last years also on violence against children. It was generally believed that violence in the family was rare in this country, but research has now established a different picture.

99. In 1982 a group of interested people established an association entitled Coalition for a Women's Shelter. In 1982 a Women's Shelter was established in Reykjavik. There has been great demand for the Shelter, much greater than anyone had expected. The Women's Shelter receives subsidies from the State and several of the largest municipal authorities.

100. A group of volunteers is also working with women and children who have been sexually abused.

Article 6

101. It is generally believed that prostitution is not common in Iceland, although there has not been any research into the matter. According to general provisions of the General Penal Code No. 19/1940, the exploitation of other people's looseness is subject to up to four years' imprisonment.

Article 7

Subparagraph (a)

102. Steps were taken in 1908 and 1909 towards full civil rights for women. In these years women were granted suffrage and eligibility in municipal elections, and in 1915 (and 1920) these rights were extended to parliamentary elections as well. Ever since, women have enjoyed the same rights as men concerning voting and eligibility for election.

Subparagraphs (b) and (c)

103. According to Article 12 of the Equal Status and Equal Rights Law, an effort

shall be made towards having the number of women and men appointed to committees, boards and councils under the auspices of the State as equal as possible, wherever it can be arranged.

104. The proportion of women sitting on committees, boards and councils is low, in spite of the above provision. In 1987 the proportion of women on committees, boards and councils under the auspices of the State was 11%. The most recent figures from April 1990 show the proportion of women has risen to 16.6%. In 1986 the percentage of women sitting on committees, boards and councils under the auspices of town authorities was 27.6%.

Article 8

105. Women and men have equal access to diplomatic and international posts. No statistical data is available on the number of women participating in delegations to international meetings and conferences.

Article 9

106. The Law on Icelandic Citizenship No. 100/1952 was amended in order to comply with paragraph 2 of Article 9 when the Convention was ratified in Iceland. With the amendment, children of married parents take their citizenship equally from their mother and father, and not from the father alone as before.

Article 10

Subparagraphs (a) and (b)

107. According to legislation women have the same rights as men to education.

Subparagraph (c)

108. A working group was appointed by the Minister of Education in 1987 to work on the advancement of equality in schools. The working group completed its work and presented its report in May 1990. According to its letter of instructions, the committee's task included the making of proposals regarding instruction in schools and the publication of educational material for parents and teachers.

109. The working group made several specific proposals for action.

Subparagraph (d)

110. According to Icelandic legislation, women have the same right as men to student grants and loans.

student grants and loans.

Subparagraph (e)

111. In this respect, no difference is made between men and women.

Subparagraph (f)

112. The Government is not aware of any difference between male and female student dropout rates. In this context it can be mentioned that in recent years there has been a substantial increase in the level of education of women, and at present a greater number of women than men graduate from secondary schools with a university admissions test.

113. The number of women students at the University of Iceland has also increased greatly. In autumn 1990 women accounted for 57% of new registered students at the University of Iceland. In the school year 1988/1989 a total of 575 students completed their degrees, 275 or 48% men and 300 or 52% women.

Subparagraph (g)

114. In this respect no difference is made between men and women.

Subparagraph (h)

115. The municipalities are responsible for most matters concerning the health and well-being of families. According to Article 4 of the Act on Municipal Affairs No. 8/1986 municipalities are, among other things, obligated to take care of social affairs, including matters of maintenance, assistance to the elderly and handicapped, child welfare, prevention of illegal drug use, the operation of day-care centers for children, nursing homes for the elderly, and domestic-help services. The biggest municipalities, Reykjavík, Kópavogur, Hafnarfjordur and Akureyri, have established welfare departments for the purpose of dealing with such matters, including special family divisions.

Article 11

Paragraph 1 (a)

116. It is the policy of the Government to promote full, productive and freely chosen employment as provided for in ILO Convention No. 122, concerning Employment Policy, which was ratified by Iceland in June 1990.

Paragraph 1 (b)

117. The participation of women in the labour market increased steadily from 1980 to 1986. This increase is largely due to the rising share of married women in the

unchanged over this period, between 78% and 79%, the participation rate of married women went from 77.7% in 1980 to 84% in 1986. Thus, in 1986, when participation rates peaked for both sexes, the participation rate of married women between the ages of 35 and 44 was only about 10% lower than that of married men of the same age. However, this comparison is somewhat tempered by the fact that 43% of all female employees worked part-time in 1986, while only 30% of male workers were part-time workers.

118. When the distribution of the sexes between occupations is studied, it becomes evident that most occupations can be characterized either as "male" or "female" occupations. For example, women form a significant majority of the work force in many of the services, while management positions of various sorts are mostly filled by men. In recent years there has been little change in the occupational distribution of men and women.

119. According to Article 6 of the Equal Status and Equal Rights Act it is unlawful for an employer to discriminate against employees on the basis of sex, this applying, inter alia, to recruitment and temporary or permanent appointment to a position, promotion and changes in employment position.

120. In Article 7 of the Act a position of employment which is vacant shall be open equally to women and men. Also it shall be unlawful to advertise or publish an advertisement concerning a vacant position indicating a preference for an employee of one sex rather than the other. It is stated that this provision shall not apply if the intention of the advertiser is to promote a more equal distribution of the sexes within the particular occupation, and in such cases this purpose shall be made clear in the advertisement.

Paragraph 1 (c)

121. Women's position in the labour market has improved greatly in recent years. Women have established themselves in various sectors of the economy that before were the exclusive territory of men. An example is the great increase of women with university degrees holding specialist positions in Government service. In 1985 the proportion of women holding management positions or positions of responsibility within the Ministries' central offices was 24%, which, in 1987, had increased to 32%.

122. Through the initiative of the Ministry of Social Affairs and the Equal Status Council fifty Government institutions with 20 employees or more have established a special Equal Rights Programme to be implemented from January 1989 over four years, setting specific aims for the increase in numbers of women in positions of responsibility and better wage standards compared to men.

123. The employment situation during the years 1982-1990 was extremely good, with unemployment running at an average of 0.5-1.7%. During the year 1990 average unemployment among women was 2.3%. Women and men enjoy equal rights to unemployment benefits.

Paragraph 1 (d)

124. Under Article 4 of the Equal Status and Equal Rights Law women shall receive equal wages and shall enjoy equal employment benefits for equally valuable and comparable work. Article 6 declares it unlawful for an employer to discriminate against employees on the basis of sex, this applying, inter alia, to wages, fringe benefits and any other remuneration for work.

125. In spite of this fact various surveys indicate the existence of considerable differences in the incomes of women and men. This was clearly revealed, for instance, in a survey conducted in 1983. Subsequent to this survey the Prime Minister commissioned the National Economic Institute in 1984 to conduct a thorough investigation of the wage differences between the sexes on the Icelandic labour market. The initial findings presented in 1987 reveal that - considering wages for daytime work alone - women receive about 90% of men's wages. However, a comparison of total wages reveals a far greater difference. Such a comparison shows that men's total wages are 40% higher than those of women. To some extent the reason is the fact that women are less likely to work overtime than men. Furthermore, it may be presumed that women's length of service is generally shorter, a fact that places women in lower rates of remuneration than would otherwise be the case. In the report a number of other factors are suggested. For instance, the question is put whether this difference can partly be traced to women receiving lower wages than men for equal work or whether women, to a greater extent than men, are employed in sectors of the economy that offer low wages in general. Attention is drawn to the fact that on a closer examination of the classification of men and women according to occupations and sectors, there emerges a great difference in the occupational distribution of the sexes. Thus, women are numerous in various commerce or service occupations and the greatest wage difference is found in all kinds of services where women only receive about half of what men earn, based on a comparison of full-time employment. By far the greatest majority of full-time women employees are either workers or shop assistants and office workers. Women, on the other hand, are relatively few in management positions. According to the report this fact lowers women's average wages as compared with those of men.

126. The Government has adopted various measures with reference to the Equal Status and Equal Rights Law. The measures have been explained in detail in the most recent reports of the Government on the implementation of ILO Conventions Nos. 100 and 111. Reference has been made above to the proposals for establishment of an Equal Rights Programme of Government institutions.

127. On the initiative of the Minister of Social Affairs, the Nordic Council of Ministers adopted an Action Plan for Nordic Cooperation on Equality between Women and Men 1989-1993. The plan focuses on five main areas: working conditions, social welfare and family policy, education, housing and social planning, and women's participation in politics. The Nordic Ministers for equality affairs have selected two themes on which the focus is to be placed in cooperation measures during the next five years: women's role in economic development; and women's and men's

opportunities in combining family life with a job outside the home.

128. Within the four-year program, the Nordic Council of Ministers has launched a research project, stretching over several years, on parity in salaries/wages between women and men. As part of the project, a periodical publication is to be issued on the development of equal salaries/wages in the Nordic countries. Measures and strategies will be proposed for further steps to be taken and evaluations will be conducted. Workers, employers and politicians are seen as the primary target group for the publication referred to above, but it is also expected to attract readers among employees in the sectors studies. The project is to combine expertise from various sources: trade unions, employers' confederations, legal experts, experts on labour law, experts on equality, theorists and social scientists, economists and statisticians.

129. The project is intended to provide descriptions and analyses of developments in parity of salaries/wages in the various Nordic countries. The project is also to consider the various proposals for measures which have been launched, such as:

- improved legislation
- problems related to work of the same value
- the negotiation system: the parties involved, appraisals, attitudes, organization
- the social relationship: competition on the labour market, economic trends, employee priorities etc.

Paragraph 1 (e)

130. No distinction is made between men and women as regards their rights under the Law on Social Security No. 67/1971.

Paragraph 1 (f)

131. See reply under paragraph 2 (a) below.

Paragraph 2 (a)

132. According to Article 7 of the Law on Maternity Leave No. 57/1987 it is unlawful to dismiss a pregnant woman from employment. The same applies to a parent on parental leave. Article 6 of the Law stipulates that the employer is under an obligation, wherever it can be effected, to make rearrangements concerning a woman's job if it is of such a nature that her health or that of the fetus is endangered. Such a rearrangement shall not cause a reduction in the employment terms of the employee in question.

Paragraph 2 (b)

133. As of 1 January 1988, a revised system of benefits in parental leave entered into force in Iceland. The main aspects of this system are as follows:

1. Benefits on parental leave are either paid directly by the employer or by the State Social Security Institute (SSSI). Women employed by the State, municipalities, banks and a few other employers receive payments in their parental leave directly from their employer (based on a contract). All other women employed by others or not active in the labour force receive benefits while on parental leave from the SSSI.

2. As of 1 January 1990 parental leave is six months.

3. Women who receive payments during parental leave directly from their employer receive full pay (including overtime, fringe benefits etc.) for the first three months of their leave. In the second three month period they receive only the basic monthly pay (no overtime, fringe benefits etc.).

4. The benefits paid by the SSSI during parental leave are of two different types. The "birth-allowance" is related to labour force participation whereas the "birth-grant" is not. Women who give birth to a child and receive their benefits during parental leave from the SSSI receive a monthly "birth-grant" for six months. Women who have worked outside the home between 516-1031 hours in the last 12 months prior to the birth receive 50% of the monthly "birth-allowance" for six months. Women who have worked outside the home for more than 1032 hours in the last 12 months prior to the birth receive a full "birth- allowance".

5. The rules on payments during parental leave include provisions on payments during extended parental leave due to sickness of either the mother or the child, or due to the birth of more than one child at the same time (twins, triplets etc.).

6. Home-working women are entitled to a birth allowance irrespective of employment or remuneration. The birth allowance consists of the same sum paid to all recipients irrespective of their participation in the labour market and their wages.

7. The maternity leave is extended for one month for each additional child born at the same delivery. Maternity leave will also be extended for a month in case of serious illness of the child or the mother during her pregnancy.

134. All pregnant women are entitled to free medical services during pregnancy and a free hospital stay for the delivery of the child.

135. Legislative provisions relating to maternity leave do not in any way curtail negotiated rights under collective wage agreements. For example, employees of the State and employees of local governments receive their full salaries for three months in accordance with wage agreements.

Paragraph 2 (c)

136. A 1988 report on day-care centers in the whole country covering the period 1981-1986 reveals that the number of full-time positions rose from 848 in 1981 to 1,215 in 1986.

137. The number of children aged 0-10 years in day-care centers rose from 6,096 in 1978 to 10,041 in 1988, the majority of children aged from 3 to 5 years being in nursery schools. In this age group, 8,549 children, or 69.4% of the age group, enjoyed the services of day-care centers in 1988.

Paragraph 2 (d)

138. See reply under paragraph 2 (a) above.

Article 12

Paragraph 1

139. Women and men enjoy equal rights to primary health care. Such services are subsidized by the public authorities. Abortions are permitted both on medical and social grounds.

Paragraph 2

140. All women in Iceland have free access to appropriate services in connection with pregnancy, confinement and the post-natal period.

Article 13

Subparagraph (a)

141. Child benefits are divided equally between parents if both have the custody of a child, i.e. if the parents are married or live in cohabitation. In case of a single parent the amount goes undivided to the parent who has the custody of the child.

Subparagraph (b)

142. No distinction is made between women and men in respect of bank loans, mortgages or any other form of credit.

Subparagraph (c)

143. Women and men enjoy the same formal right to participate in recreational activities, sports and cultural life.

Article 14

144. In the wake of three proposals for parliamentary resolutions presented to the Althing in the winter of 1988 concerning employment opportunities for women in rural areas, the Minister of Social Affairs was entrusted with the preparation of a report on the current situation. A survey was carried out, embracing all women in the primary production sector, including farming, with a view to acquiring a comprehensive overview of the nature of these women's employment. Findings and recommendations for improvement were presented in a report published in 1989.

145. The report contains recommendations for improvements with the following aims:

- to assist women who have been temporarily unemployed by means of courses and practical training;
- to establish women's groups and to assist those groups which are already functioning;
- to assist women to start running small production and service enterprises suited to the economic activities of the community.

146. Finally, the report stresses the necessity for action in this sphere. Women in rural parts of Iceland face a very restricted range of career choices, and in many places there is considerable unemployment. There is a great deal of interest among women in the establishment of small enterprises, and there is every reason to harness this interest in the creation of new opportunities and the improvement of life in rural areas.

147. In 1988, the Minister of Agriculture appointed a committee to gather information about, and assess the position of, women in agriculture and to make proposals for increasing the role of women in the agricultural sector. A survey revealed that 35% of farmers' wives engage in paid employment outside the farm, and also that the great majority of them choose to do so, attaching great importance to irregular working hours. The committee presented its report in 1989. Amongst other things, it proposes:

- that courses be held in subjects aimed at the establishment of enterprises. The report stresses that adequate funding must be made available for a campaign of this type aimed at improving women's employment prospects in rural areas, to finance both the courses and the establishment of enterprises;
- that the National Farmers' Union and the agricultural societies take an active part in this effort to create employment and place emphasis on expanding the role of women, e.g. by increasing the number of women on committees and councils within these organizations.

148. It was the committee's unanimous view that unemployment among women in rural areas is higher than is indicated by official figures, and it emphasized the need for measures to develop employment opportunities in rural areas and to encourage and assist women to take part in this buildup.

Article 15

149. The provisions of the Convention are fulfilled on behalf of Iceland.

Article 16

150. The provisions of the Convention are fulfilled on behalf of Iceland.

CONSTITUTION OF THE REPUBLIC OF ICELAND

(No. 33, 17 June 1944,
as amended 30 May 1984 and 31 May 1991)

I.

ARTICLE 1

Iceland is a Republic with a parliamentary government.

ARTICLE 2

Althingi and the President of Iceland exercise jointly legislative power. The President and other governmental authorities in accordance with this Constitution and other laws exercise executive power. Judges exercise judicial power.

II.

ARTICLE 3

The President of Iceland shall be elected by the people.

ARTICLE 4

Any person who is thirty-five years of age and fulfils the requirements necessary to vote in elections to Althingi, with the exception of the residency requirement, is eligible to be elected President.

ARTICLE 5

The President shall be elected by direct, secret ballot of those who are eligible to vote in elections to Althingi. A presidential candidate shall be proposed by not less than 1500 voters and not more than 3000. The candidate, if there is more than one, who receives the most votes is duly elected President. If there is only one candidate, he is duly elected without a vote.

Further provision shall be made by law for the candidature and election of the President, and it may be provided that a specific number of proposers shall be from each quarter of the country in proportion to the number of voters there.

ARTICLE 6

The President's term of office begins on the 1st of August and ends on the 31st of July four years later. The election of the President takes place in June or July of the year in which the term ends.

ARTICLE 7

If the President dies or resigns prior to the expiry of his term, a new President shall be elected for a period ending on the 31st of July of the fourth year from the election.

ARTICLE 8

If the Office of President of the Republic becomes vacant or if the President is unable to perform his duties because of a stay abroad, illness, or other reasons, the Prime Minister, the President of Althingi and the President of the Supreme Court shall exercise presidential authority. The President of Althingi shall preside at their meetings. In a divergence of opinion among them, the majority shall prevail.

ARTICLE 9

The President of the Republic may not be a Member of Althingi or accept salaried employment in the interest of any public institution or private enterprise.

Disbursements from State funds to the President or those who exercise presidential authority shall be established by law. These disbursements to the President may not be reduced during his term of office.

ARTICLE 10

On assuming office, the President shall take an oath or pledge to uphold the Constitution. Two identical originals shall be made of this oath or pledge. One is to be kept by Althingi and the other by the National Archives.

ARTICLE 11

The President of the Republic is not responsible for executive acts. The same applies to those who exercise presidential authority.

The President may not be prosecuted on a criminal charge except with the consent of Althingi.

The President may be removed from office before his term expires if approved by a majority vote in a plebiscite called pursuant to a resolution adopted by three-fourths of the Members of Althingi. This plebiscite shall be held within two months from the date of adoption by Althingi of the resolution. The President shall not perform his duties from the time the resolution is adopted by Althingi until the results of the plebiscite are known.

If the resolution by Althingi is not approved in the plebiscite, Althingi shall be immediately dissolved and new elections called.

ARTICLE 12

The President of the Republic shall reside in or near Reykjavík.

ARTICLE 13

The President entrusts his authority to Ministers.

The seat of Government is in Reykjavík.

ARTICLE 14

Ministers are responsible for all executive acts. The responsibility of Ministers is established by law. Althingi may impeach Ministers on account of their official acts. The Court of Impeachment decides such cases.

ARTICLE 15

The President appoints Ministers and discharges them. He determines their number and assignments.

ARTICLE 16

The State Council is composed of the President of the Republic and the Ministers and is presided over by the President.

Laws and important government measures shall be submitted to the President in the State Council.

ARTICLE 17

Ministerial meetings shall be held in order to discuss new legislative proposals and important State matters. Furthermore, ministerial meetings shall be held when one of the Ministers wishes to raise a matter there. The meetings shall be presided over by the Minister called upon by the President of the Republic to do so, who is designated Prime Minister.

ARTICLE 18

The Minister who has signed a measure shall, as a rule, submit it to the President.

ARTICLE 19

The Presidential signature validates a legislative act or government measure when countersigned by a Minister.

ARTICLE 20

The President makes appointments to public offices as provided by law.

No person may hold public office unless he has Icelandic nationality. Each official shall take an oath or pledge to uphold the Constitution.

The President may remove from office any official whom he has appointed.

The President may transfer officials from one office to another on the condition that their official remuneration is not reduced, and that they have an option between such transfer and retirement with a pension, or old-age allowance, as prescribed by law.

Certain categories of officials, in addition to those mentioned in Article 61, may be exempted by law from this provision.

ARTICLE 21

The President of the Republic concludes treaties with other States. Unless approved by Althingi, he may not make such treaties if they entail renouncement of, or servitude on, territory or territorial waters, or if they require changes in the State system.

ARTICLE 22

The President of the Republic shall convene Althingi not later than ten weeks after general elections. The President opens regular sessions of Althingi each year.

ARTICLE 23

The President of the Republic may adjourn sessions of Althingi for a certain period of time, but not for more than two weeks nor more than once a year. Althingi may, however, authorize the President to deviate from this provision.

If sessions of Althingi have been adjourned, the President of the Republic may nevertheless convene Althingi if necessary. The President, moreover, is obliged to do so upon request by a majority of the Members of Althingi.

ARTICLE 24

The President of the Republic may dissolve Althingi. A new election must take place before 45 days have elapsed since the dissolution was announced. Althingi shall convene not later than ten weeks after its dissolution. Members of Althingi shall keep their mandate until election day.

ARTICLE 25

The President of the Republic may have bills and draft resolutions submitted to Althingi.

ARTICLE 26

If Althingi has passed a bill, it shall be submitted to the President of the Republic for confirmation not later than two weeks after it has been passed. Such confirmation gives it the force of law. If the President rejects a bill, it shall nevertheless become valid but shall, as soon as circumstances permit, be submitted to a vote by secret ballot of all those eligible to vote, for approval or rejection. If rejected, the law shall become void, but otherwise retain its force.

ARTICLE 27

All laws shall be published. The form of publication and the implementation of laws shall be in accordance with law.

ARTICLE 28

In case of urgency, the President may issue provisional laws when Althingi is not in session. Such laws must not, however, be contrary to the Constitution. They shall always be submitted to Althingi as soon as it convenes.

If Althingi does not approve a provisional law, or if it does not complete its consideration of the law within six weeks after convening, it shall become void.

A provisional budget may not be issued if Althingi has passed the budget for the fiscal year.

ARTICLE 29

The President may decide that the prosecution for an offence be discontinued if there are strong reasons therefor. He grants pardon and amnesty. However, he may not absolve a Minister from prosecution or from a punishment imposed by the Court of Impeachment, unless approved by Althingi.

ARTICLE 30

The President grants, either himself or through other government authorities, exemptions from laws in accordance with established practice.

III.

ARTICLE 31

Althingi shall be composed of 63 Members elected by the people by secret ballot on the basis of proportional representation for four years in these constituencies:

1. Reykjavík constituency.
   Includes Reykjavík.
2. Reykjanes constituency.
   Includes: Gullbringusýsla, Grindavíkurkaupstadur, Keflavíkurkaupstadur, Njardvíkurkaupstadur, Kjósarsýsla, Gardakaupstadur, Hafnarfjardarkaupstadur, Kópavogskaupstadur and Seltjarnarneskaupstadur.
3. Vesturland constituency.
   Includes: Borgarfjardarsýsla, Akraneskaupstadur, Mýrasýsla, Snaefellsnes- and Hnappadalssýsla and Dalasýsla.
4. Vestfirdir constituency.
   Includes: Austur-Bardastrandarsýsla, Vestur-Bardastrandarsýsla, Vestur-Ísafjardarsýsla, Bolungarvíkurkaupstadur, Ísafjardarkaupstadur, Nordur-Ísafjardarsýsla and Strandasýsla.
5. Nordurland vestra constituency.
   Includes: Vestur-Húnavatnssýsla, Austur-Húnavatnssýsla, Skagafjardarsýsla, Saudárkrókskaupstadur and Siglufjardarkaupstadur.
6. Nordurland eystra constituency.
   Includes: Eyjafjardarsýsla, Akureyrarkaupstadur, Dalvíkurkaupstadur, Ólafsfjardarkaupstadur, Sudur-Thingeyjarsýsla, Húsavíkurkaupstadur and Nordur-Thingeyjarsýsla.
7. Austurland constituency.
   Includes: Nordur-Múlasýsla, Seydisfjardarkaupstadur, Sudur-Múlasýsla, Eskifjardarkaupstadur, Neskaupsstadur and Austur-Skaftafellssýsla.
8. Sudurland constituency.
   Includes: Vestur-Skaftafellssýsla, Vestmannaeyjakaupstadur, Rangárvallasýsla, Árnessýsla and Selfoss.

Seats in Althingi are divided between constituencies in the following way:

a. 54 seats are divided between constituencies as follows:

Reykjavík constituency	14 seats
Reykjanes constituency	8 seats
Vesturland constituency	5 seats
Vestfirdir constituency	5 seats
Nordurland vestra constituency	5 seats
Nordurland eystra constituency	6 seats

Austurland constituency	5 seats
Sudurland constituency	6 seats

b. At least eight seats shall be allocated to constituencies before each election in accordance with provisions in the law on elections.

c. One seat may be allocated to a constituency after each election in accordance with provisions in the law on elections.

In allocating seats according to the election results, it shall be ensured to the extent possible that each political party having gained a seat in Althingi receive the number of Members of Althingi which is as closely as possible in accordance with the total number of votes it has obtained. In doing so, up to one fourth of the seats in each constituency, under subparagraphs a and b of paragraph 2 of this Article, may be allocated taking into account the election results in the country as a whole. The same applies to the allocation of a seat under subparagraph c of paragraph 2.

ARTICLE 32

Sessions of Althingi are held in one chamber.

ARTICLE 33

All persons who are 18 years of age or older when an election is held and have Icelandic nationality have the right to vote in elections to Althingi. Permanent domicile in Iceland is also a requirement for voting when the election take place, unless exceptions from this rule are stipulated in the law on elections to Althingi.

Further provisions regarding elections to Althingi shall be laid down in the law on elections.

ARTICLE 34

Every national having the right to vote in elections to Althingi and an unblemished reputation is eligible to be elected to Althingi.

Judges of the Supreme Court, however, are not eligible.

IV.

ARTICLE 35

Althingi shall convene for a regular session every year on the 1st of October or, if the day is a holiday, on the following weekday, and continue in session until the same date next year, unless the election period of Members of Althingi has elapsed earlier or Althingi has been dissolved.

The opening date of the regular session of Althingi may be changed by law.

ARTICLE 36

Althingi is inviolate. No person may disturb its peace or violate its freedom.

ARTICLE 37

Althingi shall normally convene in Reykjavík, but under special circumstances the President of the Republic may order that Althingi convene at another place in Iceland.

ARTICLE 38

Members of Althingi and Ministers are entitled to introduce bills and draft resolutions.

ARTICLE 39

Althingi may appoint committees of its Members in order to investigate important matters of public interest. Althingi may grant authority to such committees to request reports, oral or written, from officials as well as from individuals.

ARTICLE 40

No tax may be imposed, altered or abolished except by law.

Nor may loans, binding upon the State, be raised or any real estate belonging to the State or the use thereof sold or in any other way disposed of, except by authority in law.

ARTICLE 41

No disbursement may be made unless authorized in the budget or the supplementary budget.

ARTICLE 42

A budget proposal for the coming fiscal year, containing a report on the revenue and expenditure of the State, shall be submitted to each regular session of Althingi upon it being convened.

ARTICLE 43

Althingi shall elect three Inspectors General who shall be remunerated for their work. They shall be proportionally elected. The Inspectors General shall annually inspect the national revenue and expenditure accounts thoroughly and ascertain whether the entire revenue has been accounted for and whether any unauthorized disbursements have been made. They may, individually, two together or jointly, request all reports and documents which they deem necessary. The accounts for each fiscal year shall then be incorporated into one aggregate account and a bill for the approval thereof be submitted to Althingi, together with the comments of the Inspectors General.

The Inspectors General are entitled, individually or jointly, to examine the accounts and books of the State Treasurer, as well as those of the Ministries, for the current or past year. They shall indicate to their successors in writing anything that they feel requires consideration.

ARTICLE 44

No bill may be passed until it has received three readings in Althingi.

ARTICLE 45

Regular elections to Althingi shall take place not later than at the end of the electoral term. The beginning and end of the electoral term is on the same day of the week in a month, counting from the beginning of the month.

ARTICLE 46

Althingi itself decides whether its Members are legally elected and also whether a Member has lost eligibility for election to Althingi.

ARTICLE 47

Each new Member of Althingi shall take a pledge to uphold the Constitution when his election has been approved.

ARTICLE 48

Members of Althingi are bound solely by their conviction and not by any instructions from their constituents.

ARTICLE 49

No Member of Althingi may be subjected to custody on remand during a session of Althingi without the permission of Althingi, nor may a criminal action be brought against him unless he is caught in the act of committing a crime.

No Member of Althingi may be made responsible outside Althingi for statements made by him in Althingi, except with the permission of Althingi.

ARTICLE 50

If a Member of Althingi loses eligibility for election to Althingi, he forfeits those rights that the election brought him.

ARTICLE 51

Ministers are entitled to a seat in Althingi and, by virtue of their office, have the right to participate in its debates as often as they may desire, but they must observe the rules of procedure. They have the right to vote only if they are at the same time Members of Althingi.

ARTICLE 52

Althingi elects a President, who presides over its proceedings.

ARTICLE 53

Althingi may not take a decision unless more than half of its Members are present at the meeting and take part in the voting.

ARTICLE 54

Each Member of Althingi may request, subject to the permission of Althingi, information from a Minister or an answer regarding a public matter, by tabling a question or requesting a report.

ARTICLE 55

Althingi may not admit for consideration any matter unless introduced by one of its Members or a Minister.

ARTICLE 56

Should Althingi not find reason to take some other decision on a given matter it may refer it to a Minister.

ARTICLE 57

Meetings of Althingi shall be held in public. Nevertheless, the President of Althingi, or the quorum stipulated by the rules of procedure, may request that all those not Members of Althingi be excluded. The meeting shall then decide whether the matter shall be debated in a public or a closed session.

ARTICLE 58

The rules of procedure of Althingi shall be determined by law.

V.

ARTICLE 59

The organization of the judiciary can only be established by law.

ARTICLE 60

Judges settle all disputes regarding the competence of the authorities. No one seeking a ruling thereon can, however, temporarily evade obeying an order from the authorities by submitting the matter for a judicial decision.

ARTICLE 61

In the performance of their official duties, judges shall be guided solely by the law. Those judges who do not also have administrative functions cannot be discharged from office except by a judicial decision, nor may they be transferred to another office against their will, except in the event of re-organization of the judiciary. A judge who has reached the age of 65 may, however, be released from office, but Judges of the Supreme Court shall not lose any of their salary.

VI.

ARTICLE 62

The Evangelical Lutheran Church shall be the State Church in Iceland and, as such, it shall be supported and protected by the State.

This may be altered by law.

ARTICLE 63

The people are entitled to establish communities for the worship of God in conformity with their individual convictions; however, nothing may be preached or practiced which is prejudicial to good morality and public order.

ARTICLE 64

No person may lose his civil or national rights because of his religion, nor may he refuse to perform any civic duty because of it.

No person is obliged to contribute personal dues to any religious worship other than his own.

If a person is not a member of the State Church or any other recognized religious group in the country, he shall pay to the University of Iceland or benefit fund of that university, as may be determined, dues otherwise payable to the State Church.

This may be altered by law.

VII.

ARTICLE 65

Any person who is arrested shall be brought before a judge without delay. If not released at once, the judge shall give a reasoned ruling within 24 hours as to whether he shall be remanded to custody. If the person may be released on bail, the ruling shall contain provisions as to its nature and amount.

An appeal to a higher Court may immediately be made against the ruling of the judge, the procedure of notification and appeal against such ruling being the same as in criminal cases.

No person may be subjected to custody on remand for an offence merely punishable by fines or punitive detention.

ARTICLE 66

The home shall be inviolate. Houses may not be searched, nor may any letters or other documents be detained and examined, except by judicial ruling or by a special provision of law.

ARTICLE 67

The right of ownership is inviolate. No one shall be obliged to surrender his property unless required by the common good; such surrender must be based on law and full compensation paid.

ARTICLE 68

No foreign national may acquire nationality except by law.

The entitlement of foreign nationals to hold rights to real estate in the country shall be determined by law.

ARTICLE 69

No restriction may be imposed upon individual freedom of enterprise, unless required by the common good. Such restriction must be based on law.

ARTICLE 70

Whoever is unable to provide for himself or his dependents shall, subject to obligations prescribed by law, be entitled to support from public funds, unless his maintenance rests upon others.

ARTICLE 71

If parents cannot afford to educate their children, or if the children are orphaned or destitute, their education and maintenance must be defrayed from public funds.

ARTICLE 72

Every person has the right to express his thoughts in print; nevertheless, he shall be responsible for them before the Courts. Censorship and other restrictions on the freedom of expression in print must never be enacted.

ARTICLE 73

People are entitled to form associations for any lawful purpose without having to seek authorization. No association may be dissolved by an executive measure. It may, however, be banned temporarily, in which case an action must immediately be brought for dissolution of the association.

ARTICLE 74

People are entitled to assemble unarmed. The police have the right to be present at public gatherings. Open-air meetings may be forbidden when it is feared that they may cause riots.

ARTICLE 75

Every person able to carry arms shall be obliged to take part in the defence of the country, as may be further provided by law.

ARTICLE 76

The right of autonomy of local communities under the supervision of the Government shall be determined by law.

ARTICLE 77

Taxation shall be determined by law.

ARTICLE 78

Privileges tied to nobility, titles and rank may not be enacted.

ARTICLE 79

Proposals to amend or supplement this Constitution may be introduced at regular as well as extraordinary sessions of Althingi. If the proposal is adopted, Althingi shall immediately be dissolved and a general election held. If Althingi then passes the resolution unchanged, it shall be confirmed by the President of the Republic and come into force as constitutional law.

If Althingi passes an amendment to the status of the Church under Article 62, it shall be submitted to a vote for approval or rejection by secret ballot of all those eligible to vote.

Temporary provisions

Foreign nationals who, prior to the date of application of this constitutional law, have obtained the right to vote and have become eligible to be elected to Althingi or have obtained the right to hold public office, shall retain the said rights. Danish

nationals who under Article 75 of the Constitution of 18 March 1920 would have obtained such rights had the law not been amended shall, from the date of entry into force of this constitutional law until six months after negotiations regarding the rights of Danish nationals in Iceland can start, also acquire the said rights and retain them.

LAW NO. 28/1991
on the Equal Status and Equal Rights of Women and Men

SECTION I
General provisions

Article 1

The purpose of this Law is to establish the equal rights and equal status of women and men in every sphere. The status of women shall be improved especially for this purpose.

Article 2

Women and men shall through administrative measures be guaranteed equal access to employment, wages and education.

Article 3

All forms of discrimination on the basis of sex shall be prohibited. However, specific temporary measures intended to improve the status of women in order to promote equality and the equal status of the sexes shall not be considered contrary to this Law. It shall not be considered discrimination to make special allowances for women on account of pregnancy or childbirth.

SECTION II
Employment

Article 4

Women and men shall receive equal wages and shall enjoy equal employment benefits for equally valuable and comparable work.

For the purposes of this Law, "wages" refers to usual basic or minimum wages and any further remuneration, direct or indirect, whether through perquisites or by other means, which the employer pays to an employee for his or her work.

For the purposes of this Law, "equal wages for men and women for equally valuable and comparable work" refers to wage rates on which an agreement has been reached without any distinction on the basis of sex.

For the purposes of this Law, "employment benefits" refers to the rights to a pension, a paid holiday and health insurance and any other rights based on labour contracts.

Article 5

Employers and labour unions shall purposefully work for the equalization of the status of the sexes on the labour market. Employers shall specifically work for the equal status of the sexes within their companies or institutions, endeavouring to prevent jobs from being classified as specific women's jobs or men's jobs.

Article 6

It shall be unlawful for an employer to discriminate against employees on the basis of sex, this applying, inter alia, to the following:

1. Wages, fringe benefits and any other remuneration for work.
2. Recruitment and temporary or permanent appointment to a position.

3. Promotion and changes in employment position.
4. Dismissal from employment.
5. Working conditions and the working environment.
6. The provision of any form of perquisites.

Should any employee consider that his or her rights have been infringed with respect to the provisions of this article and chooses to refer the case to the Complaints Committee Responsible for Matters of Equality, cf. Article 19, the employer in question shall prove to the Committee that his decision was based on reasons other than sex.

Article 7

A position of employment which is vacant shall be open equally to women and men.

It shall be unlawful to advertise or publish an advertisement concerning a vacant position indicating a preference for an employee of one sex rather than the other.

This provision shall not apply if the intention of the advertiser is to promote a more equal distribution of the sexes within the particular occupation, and in such cases this purpose shall be made clear in the advertisement.

Article 8

In the event that an applicant for an advertised position is a woman, and a man has been hired for the position, the Complaints Committee shall, if it is so desired, make a request to the employer in question that he provide the Committee with written information as to what education, work experience and other particular qualifications beyond the woman the man hired for the position is endowed with.

A man applying for a position shall have the same right if the position is awarded to a woman.

Article 9

Women and men shall enjoy equal access to further education and vocational training and to training programmes designed to improve occupational skills or as preparation for other types of work.

SECTION III

Education

Article 10

Schools and other educational or pedagogical institutions shall not discriminate against either of the sexes. This rule is to be observed in studies and teaching, working methods and daily association with the students. At all levels of the school system, instruction on issues concerned with the equality of the sexes shall be provided, inter alia by emphasizing the equal preparation of both sexes for active participation in society, family life and the economy. Special care shall be taken that educational aids and textbooks are designed so as not to discriminate against either of the sexes.

Instruction on educational and vocational training opportunities and

consultation in schools shall provide both boys and girls with information on occupations which have up to now been considered to be traditional men's or women's work.

The Ministry of Education shall be responsible for the implementation of this article in consultation with the Equal Status Council. The Ministry shall supervise the development of matters of equality in schools and pedagogical work, inter alia by making regular surveys.

SECTION IV
Other sectors

Article 11

Advertisers and persons who design and/or publish advertisements shall make sure that such advertisements are in no way derogatory or humiliating to either sex or in conflict with the principle of equal status and the equal rights of the sexes.

Article 12

Wherever possible, an approximately equal number of women and men shall be appointed to boards, committees and councils under the auspices of the Government, local government and organizations. Attention shall be called to this fact whenever appointments are sought for the boards, committees and councils in question.

Article 13

In local government areas with more than 500 inhabitants, and other areas where possible, there shall be appointed Equal Status Committees which shall be responsible for matters of equality within their areas in accordance with the provisions of this Law. Such committees shall have a supervisory role and initiate special temporary measures for the purpose of improving the status of women in the local government area, register notifications on infractions of this Law and act as a liaison agent to the Ministry and the Equal Status Council. Furthermore, such committees shall act in an advisory manner for the local government in matters concerning the equality of women and men.

SECTION V
The implementation of this Law

Article 14

The Minister of Social Affairs shall be in charge of the implementation of this Law.

Article 15

Following each election to the Althing, a seven-man Equal Status Council shall be appointed. The Minister of Social Affairs shall appoint its Chairman without nomination, one member shall be appointed by the Confederation of Icelandic Employers, one member shall be appointed by the Icelandic Federation of Labour, one

member by the Federation of State and Municipal Employees, one member by the Women's Rights Association of Iceland and one member by the Federation of Icelandic Women's Associations. Their alternates shall be appointed in the same manner. Also, the Chairman of the Complaints Committee Responsible for Matters of Equality shall be appointed to the Council, cf. Article 19, the Vice-Chairman serving as his or her alternate.

The Equal Status Council shall have its own office and hire a Managing Director and other employees. One of the Council's employees shall be a qualified lawyer and be in charge of legal counselling and other legal work for the Equal Status Council resulting from alleged violations of this Law.

Expenditures incurred by the Equal Status Council shall be paid by the State Treasury.

Article 16

The functions of the Equal Status Council shall be as follows:

1. To promote the fulfilment of Articles 2 to 13 of this Law.
2. To shape policy in matters of equality in Iceland and to initiate special temporary measures for the purpose of improving the status of women. The Council shall prepare a policy-shaping programme for four years at a time and submit it to the Minister of Social Affairs. This programme shall contain provisions for measures to be taken in order to promote equality between the sexes. The programme shall be reviewed every two years, cf. Article 17.
3. To serve as an advisory body for administrative authorities, institutions and organizations in matters concerning equal status and equal rights of the sexes.
4. To supervise instruction and the dissemination of information for organizations and the general public.
5. To keep abreast of social developments concerning, inter alia, the subject of this Law and to make proposals for amendments in accordance with the purpose of this Law.
6. To promote cooperation with the organizations of employers and wage earners and other organizations so as to achieve the objectives and purpose of this Law in the most natural manner possible.
7. To initiate at its own instigation or that of others studies of the status of women and men within the framework of this Law. Public institutions, employers and organizations shall be obliged to provide the Equal Status Council with all information pertaining hereto.
8. To cooperate with the Equal Status Committees of local governments.
9. To consider other matters which may be presented to the Council by the Minister or its Managing Director.
10. To convene a Congress on Equality at least every three years.

Article 17

The Minister of Social Affairs shall present to the Althing a motion for a parliamentary resolution on a Four-Year Programme on Matters of Equality after having received proposals from individual ministries and the Equal Status Council. This programme is to contain a detailed plan of action and an estimate of the funding

needed for specific projects regarding matters of equality. The programme shall be reviewed every two years and in this connection the Minister of Social Affairs shall present to the Althing a report on the status and development of matters of equality.

Article 18

The Minister of Social Affairs shall be authorized to appoint an Equal Rights Counsellor. He or she shall in cooperation with the Equal Status Council promote the improvement of the status of women, inter alia in institutions and companies throughout the country in cooperation with employees and administrators.

Article 19

The Minister of Social Affairs shall appoint a Complaints Committee for a period of three years at a time; the committee members shall be qualified lawyers. The Minister of Social Affairs shall appoint one member without nomination and the Supreme Court shall appoint two, one of whom shall be the chairman of the committee. Alternates shall be appointed in the same manner. When a matter could have a policy-shaping influence on the labour market, the Complaints Committee shall seek comments from the general associations of employees and their contracting parties.

The Complaints Committee shall be charged with registering notifications of violations of the provisions of this Law and investigating cases in such instances, and forwarding its conclusions to the parties concerned upon the completion of its investigation. Employers, public institutions, organizations and other parties who may be able to throw light on the matter shall be obliged to furnish the Complaints Committee with any information pertaining hereto. Furthermore, in special cases the Complaints Committee shall take the initiative on making notifications regarding the implementation of Articles 2 to 13, cf. Article 16, para. 1, however, on the functions of the Equal Status Council.

The office of the Complaints Committee Responsible for Matters of Equality shall at the same time be the office of the Equal Status Council.

Article 20

In the event that the Complaints Committee Responsible for Matters of Equality considers that the provisions stipulated in Articles 1 to 13 of this Law are being violated, the Committee shall submit substantiated directives for specific improvements to the parties concerned.

SECTION VI

Penalties and legal procedure

Article 21

Should the party concerned not accept the directives of the Complaints Committee Responsible for Matters of Equality in accordance with Article 20, the Committee shall be authorized to initiate legal proceedings in order to establish the recognition of the rights of the plaintiff in consultation with him or her. This shall also apply even though there is no claim for compensation involved.

Article 22

Anyone who wilfully or by negligence violates the provisions of this Law shall be liable to pay compensation in accordance with the general provisions of law. Furthermore, the person concerned may be ordered to pay to the plaintiff, in addition to compensation for financial loss, a sum of money for humiliation, inconvenience and disturbance of position and circumstances.

SECTION VII

Other provisions

Article 23

The Minister of Social Affairs shall make further rules on the implementation of this Law by issuing Regulations after having received the proposals of the Equal Status Council.

Article 24

This Law shall enter into force forthwith. This Law supersedes and annuls the Law on Equal Status and Equal Rights of Women and Men No. 65/1985.

Provisional clause

Upon the entry into force of this Law, the current appointments to the Equal Status Council shall be annulled.

The Equal Status Council shall be appointed, cf. Article 15, its appointment being valid until a new Equal Status Council has been appointed following the next general election to the Althing.

The Complaints Committee Responsible for Matters of Equality shall be appointed for a period of three years.